

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

JEROME BIRN, Derivatively on Behalf of THE  
BEAR STEARNS COMPANIES, INC.

**SUMMONS IN A CIVIL ACTION**

v.  
JAMES E. CAYNE, ET AL.

**08** CASE NUMBER:  
**CV 00855**

TO: (Name and address of Defendant)

The Bear Stearns Companies, Inc.  
383 Madison Avenue  
New York, NY 10179

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Thomas G. Amon, Esq.  
Law Offices of Thomas G. Amon  
250 West 57th Street, Suite 1316  
New York, NY 10107  
Tel. (212) 810-2430

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

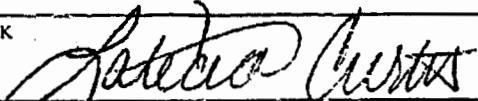
**J. MICHAEL McMAHON**

**JAN 24 2008**

CLERK

DATE

(By) DEPUTY CLERK



AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS IN A CIVIL CASE, VERIFIED COMPLAINT**  
 EFFECTED (1) BY ME: **MALGORZATA SLADEK**  
 TITLE: **PROCESS SERVER**

DATE: 02/08/2008 05:06PM

## CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

Served personally upon the defendant:

THE BEAR STEARNS COMPANIES, INC.

Place where served:

320 PARK AVE. NEW YORK NY

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

SHARON D. CERES

Relationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: F AGE: 21-35 HEIGHT: 5'4"-5'8" WEIGHT: 100-130 LBS. SKIN: BLACK HAIR: BLACK OTHER: \_\_\_\_\_

To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

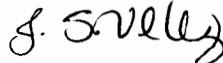
## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 02/08/2008

  
 L.S.  
 SIGNATURE OF MALGORZATA SLADEK  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

02/08/08



JANIRA SANTIAGO VELEZ  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires April 24, 2012

ATTORNEY: THOMAS G. AMON, ESQ.  
 PLAINTIFF: JEROME BIRN, ET AL  
 DEFENDANT: JAMES E. CAYNE, ET AL  
 VENUE: DISTRICT OF NY  
 DOCKET: 08 CV 00855

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.